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ZONING BOARD OF ADJUSTMENT

AGENDA FOR JULY 22, 2021

7:00 P.M. REGULAR MEETING VIA ZOOM WEBINAR

CALL TO ORDER

FLAG SALUTE

NOTICE:

The Zoning Board of Adjustment reserves the right to change the order of the published agenda. All changes to the agenda will be announced at the beginning of each meeting.

It is the intent of the board (and at the discretion of the Chairman) to not begin a new application after 10:00 P.M. and to adjourn the meeting by 11:00 P.M.

It is a further policy of the Board that members of the public will be limited to five minutes when speaking on an application. When a person is representing a group of people, he or she may speak for ten minutes.

I am required to advise you that there is a no smoking policy in this building. In the event of a fire or other emergency please utilize the exit at the rear of the room.

For those of you in attendance that are in possession of a paging device or cell phone, kindly turn it off or put in on vibrating mode. The sudden alerting tones of either device are disrupting to the proceedings as well as to the recording equipment used by the Board. Also, if you find it necessary to converse with your applicant, professional, or attorney, please do so in the lobby at the rear of the meeting room. Thank you for your cooperation.

This Board is a quasi-judicial Board therefore this meeting shall be conducted in a similar manner to a judicial proceeding. Decorum appropriate to a judicial hearing must be maintained at all times and any questions or comments must be limited to issues that are relevant to what the Board may legally consider in reaching a decision.

OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is being held in compliance with the requirements of the 'Open Public Meetings Act' and has been duly noticed and published as required by law.

ROLL CALL

RESOLUTIONS

ZC2021-009 Ryan A. Balfe, 12 Foxboro Drive, Block 304.02, Lot 26
Bulk variance relief to install a sport court in side yard.

ZC2021-004 Anjali Banal & Stephen Dyson, 32 Farmhouse Lane, Block 195.04, Lot 1
Bulk variance relief to maintain existing fencing in secondary front yard.

MINUTES FOR APPROVAL

July 8, 2021

OLD BUSINESS

Stacy Vana
203 Kresson Road
Block 218.42, Lot 1.01

MDR (R75)

Case #ZC2020-008

The Applicant is seeking relief from numerous Sections of the ordinance to permit an existing retaining wall, pool equipment, and a tree house to remain as built. The retaining wall requires relief from: §150.12(B)(1) to permit a retaining wall to remain along the eastern property line (common property line with lot 1.02) where grading, construction or alterations within 5-feet of a property line are prohibited.

The pool equipment requires relief from: §150.12(B)(1) to permit pool equipment to remain at 1.81' from a side property line where grading, construction or alterations within 5-feet of a property line are prohibited.

The existing tree house requires relief from:

§150.12(A) to permit the tree house to remain where such structures are not expressly permitted, •
§150.13(A)(2) to permit the tree house to remain at a height exceeding 15' where accessory structures are prohibited from exceeding 15'.
§150.13(A)(7)(e) to permit the tree house to remain at 365 S.F. in total area where sheds are prohibited from exceeding 200 S.F. in total area between all sheds on a given property. Note: This Section only applies if the tree house is deemed to be a "shed." If it is deemed a shed, it will effectively prohibit the property owner from installing any other shed on the property since sheds shall not exceed 200 S.F. in total area. (Note: A second shed is shown to be proposed on the submitted plan.)
§154.016(D) to permit the tree house to remain within the outer "Zone Two" of the Stream Buffer Conservation Zone where any use not authorized within §154.016(C) is prohibited. (Tree houses are not authorized in §154.016(C).) In addition to the above, variances and/or design waivers would also appear necessary for the following.

The proposed fencing requires relief from:

§150.14(B)(1)(a)2 permits fencing of 4' in height or less to be installed within a side yard, however, the plan indicates that 6' high fencing is proposed in a side yard.

§150.14(B)(3)(f)1 requires that evergreens of a minimum height of 3' at planting be planted in front of all fences 5' and higher which parallel a front property line, however, no such plantings have been indicated on the submitted plan.

The proposed ground-level shed requires relief from:

§150.13(A)(7)(e) to permit sheds on a property to exceed 200 S.F. in area. Note: This variance is only necessary if the existing tree house is permitted to remain on-site and has been deemed to be a shed. Any other variances or waivers as may be required.

Khmer Buddhist Humanitarian Association, Inc. B (Business) Case #ZC2021-007
1234 Berlin Road
Block 262, Lot 2

The Applicant is seeking an amended site plan approval to allow changes to the worship building's footprint, the installation of a raised walkway around the building along with stairs and a ramp for access, and minor changes to the front walkways and meditative gardens. No new variances are requested.

NEW BUSINESS

COMMENTS FROM THE PUBLIC

COMMENTS FROM THE BOARD

NEXT MEETING DATE(s): August 12, August 26, September 9, September 23

ADJOURNMENT